

UNITED STATES DISTRICT COURT

Southern

District of

New York

PLAINTIFF

JOSE BARBERAN

V. DEFENDANT AND THIRD PARTY PLAINTIFF

WORLD SAVINGS BANK, FSB, a/k/a WORLD SAVINGS BANK, FSB, A FEDERAL SAVINGS BANK, ISAOA; UNKNOWN OWNERS OF THE EVIDENCE OF THE DEBT and/or OWNERS OF THE NOTE

THIRD PARTY SUMMONS IN A CIVIL ACTION

Case Number: 07-CV-8821 (CLB) (MDF)

V. THIRD PARTY DEFENDANT

MONARCH MORTAGE SERVICES, LLC and
ADAM C. KANDELL

To: Name and address of Third Party Defendant

MONARCH MORTAGE SERVICES, LLC
377 Route 17 South
Hasbrouck Heights, NJ 07604

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

Jose Barberan, Pro Se
72 N. State Street
Box 103
Briarcliff Manor, NY 10510

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY

(name and address)

Donohue, McGahan, Catalano & Belitsis
555 North Broadway
PO Box 350
Jericho, NY 11753

Rosner Nocera & Ragone LLP
110 Wall Street, 23rd Floor
New York, NY 10005

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

DEC 21 2007

CLERK



(By) DEPUTY CLERK

DATE

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK
JOSE BARBERAN

AFFIDAVIT OF SERVICE

V. Defendant and Third Party Plaintiff

CASE# 07-CV-8821 (CLB) (MDF)

WORLD SAVINGS BANK, FSB, ET. AL.
V. Third Party Defendant

MONARCH MORTGAGE SERVICES, LLC,
ET. ANO.

STATE OF NEW YORK
COUNTY OF ALBANY

ss:

MARIA SCHMITZ, being duly sworn deposes and says that deponent is over the age of eighteen years and is not a party in this proceeding. Deponent served duplicate copies of the Third-Party Summons in a Civil Action and Third-Party Complaint upon MONARCH MORTGAGE SERVICES, LLC, an authorized foreign limited liability company, in the above entitled proceeding, such service having been made in the following manner, stated herein, and said person being authorized by the Secretary of State to receive such service, at the office of the Department of State in the city of Albany, New York, duplicate copies thereof together with the sum of \$40.00 (forty dollars), the statutory fee.

TAMMY ALEXANDER
NYS Department of State
Division of Corporations
41 State Street, Second Floor
Albany, New York 12231
December 31, 2007 at 1:55 p.m.

By delivering to and leaving with TAMMY ALEXANDER, the agent for service on the person in this proceeding as designated under Rule 318 CPLR. Service having been made to such person at the place, time and date stated above.

Deponent further states upon information and belief that said person so served is not in the Military service of the State of New York or of the United States as the term is defined in either the State or Federal Statutes.

Deponent further states that she describes the person actually served as follows:
Black female with black hair, brown eyes, approximately 36 years of age, 5'7" and 165 lbs.

Sworn to before me

This 31st day of December 2007

Lawrence A. Kirsch
Notary Public



MARIA SCHMITZ

LAWRENCE A. KIRSCH
Notary Public, State of New York
No. 4787475
Qualified in Albany County
Commission Expires May 31, 2011

State of New York - Department of State
Receipt for Service

Receipt #: 200801030184

Date of Service: 12/31/2007

Service Company: 14 GERALD WEINBERG, INC. - 14

Cash #: 200801030146

Fee Paid: \$40 - DRAWDOWN

Service was directed to be made pursuant to: SECTION 303 OF THE LIMITED
LIABILITY COMPANY LAW

Party Served: MONARCH MORTGAGE SERVICES, LLC

Plaintiff/Petitioner:

WORLD SAVINGS BANK, FSB

Service of Process Address:

C/O ROBERT GORMAN

3 BOLTON DRIVE

LONG VALLEY, NJ 07853

Secretary of State
By TAMMY ALEXANDER